AMENDMENTS TO THE CLAIMS

1. (Original) A three dimensional fabric suitable for use as a moisture management system for footwear and apparel which comprises:

a fabric having a first surface and a second surface which encase a center section, with said first surface having a water repellent mesh surface containing a plurality of pores, said second surface being a densely constructed fabric surface having no mesh holes or pores, with said center section comprising vertical fibers which are coated with a moisture absorbing agent, whereby when said first surface and/or said second surface are contacted with liquid moisture they function to allow said liquid moisture to pass through said surface(s) into said center section where said moisture absorbing agent absorbs and captures said moisture, and later evaporates the moisture within a predetermined time period.

2. (Original) The fabric of claim 1 in which the fabric material is at least one selected from the group consisting of polyester, nylon, acrylic, polypropylene, spandex, polylactic acid, rayon and any combination thereof.

3. (Original) The fabric of claim 1 in which the repellency rating is between about 3 and 4.

4. (Original) The fabric of claim 1 in which the mesh pore size is between about 0.3 mm and 5.0 mm.

5. (Original) The fabric of claim 1 which further contains an antimicrobial agent.

6. (Original) The fabric of claim 1 in which the moisture absorbing agent is selected from the group consisting of hydrogels, superabsorbents and hydrocolloids and mixtures thereof.

7. (Original) The fabric of claim 1 in which the repellent property is imparted by the pre-treating of certain yarns or filaments of the fabric that are strategically placed within the fabric structure during its fabrication.

8. (Original) The fabric of claim 1 in which the absorbent property is imparted by the pre-treating of certain yarns or filaments of the fabric that are strategically placed within the fabric structure during its fabrication.

9. (Original) The fabric of claim 1 in which both repellent and absorbent properties are imparted by the pre-treating of certain yarns or filaments of the fabric that are strategically placed within the fabric structure during its fabrication.

10. (Original) A three dimensional fabric suitable for use as a moisture management system for footwear and apparel which comprises:

a fabric having a first surface and a second surface which encase a center section, with said first surface having a smooth surface construction which is treated with a moisture absorbing agent and said second surface having a water repellent mesh surface, with said center section comprising vertical fibers, whereby liquid moisture generated adjacent said second surface passes through said mesh into said center section to said first surface and is absorbed and captured by said moisture absorbing agent on said first surface and later evaporated within a predetermined time period.

11. (Original) The fabric of claim 10 in which the fabric material is at least one selected from the group consisting of polyester, nylon, acrylic, polypropylene, spandex, polylactic acid, rayon and any combination thereof.

12. (Original) The fabric of claim 10 in which the repellency rating is between about 3 and 4.

13. (Original) The fabric of claim 10 in which the mesh pore size is between about 0.3 mm and 5.0 mm.

14. (Original) The fabric of claim 10 which further contains an antimicrobial agent.

15. (Original) The fabric of claim 10 in which the moisture absorbing agent is selected from the group consisting of hydrogels, superabsorbents and hydrocolloids and mixtures thereof.

16. (Original) The fabric of claim 10 in which the repellent property is imparted by the pre-treating of certain yarns or filaments of the fabric that are strategically placed within the fabric structure during its fabrication.

17. (Original) The fabric of claim 10 in which the absorbent property is imparted by the pre-treating of certain yarns or filaments of the fabric that are strategically placed within the fabric structure during its fabrication.

18. (Original) The fabric of claim 10 in which both repellent and absorbent properties are imparted by the pre-treating of certain yarns or filaments of the fabric that are strategically placed within the fabric structure during its fabrication.

19. (Original) A three dimensional fabric suitable for use as a moisture management system for footwear and apparel which comprises:

a fabric having a first surface and a second surface which encase a center section, with said first surface being water repellent and having pores of a predetermined size, and said second surface being water repellent and having pores of a predetermined size, but larger than the pores of said first surface, with both of said surfaces functioning to allow moisture to pass therethrough, with said center section comprising vertical fibers which are coated with a moisture absorbing agent whereby moisture penetrating into said center section of said fabric from either of said first or second surfaces is captured and held in place by said absorbing agent and later evaporated within a predetermined time period.

20. (Original) The fabric of claim 19 in which the fabric material is at least one selected from the group consisting of polyester, nylon, acrylic, polypropylene, spandex, polylactic acid, rayon and any combination thereof.

21. (Original) The fabric of claim 19 in which the repellency rating is between about 3 and 4.

22. (Original) The fabric of claim 19 in which the mesh pore size is between about 0.3 mm and 5.0 mm.

23. (Original) The fabric of claim 19 which further contains an antimicrobial agent.

24. (Original) The fabric of claim 19 in which the moisture absorbing agent is selected from the group consisting of hydrogels, superabsorbents and hydrocolloids and mixtures thereof.

25. (Original) The fabric of claim 19 in which the repellent property is imparted by the pre-treating of certain yarns or filaments of the fabric that are strategically placed within the fabric structure during its fabrication.

26. (Original) The fabric of claim 19 in which the absorbent property is imparted by the pre-treating of certain yarns or filaments of the fabric that are strategically placed within the fabric structure during its fabrication.

27. (Original) The fabric of claim 19 in which both repellent and absorbent properties are imparted by the pre-treating of certain yarns or filaments of the fabric that are strategically placed within the fabric structure during its fabrication.

28. (Original) A three dimensional fabric suitable for use as a moisture management system for footwear and apparel which comprises:

a fabric having a first surface of a variable height profile on one side in the form of hills, ridges, or nubs with a lower area or valley therebetween and a second relatively smooth surface which supports said first surface and said first surface having a water repellent agent thereon and said second surface having a moisture absorbing agent thereon, whereby when said first surface is contacted with liquid moisture functions to allow said liquid moisture to pass through said surface to said second surface where said moisture absorbing agent absorbs and captures said moisture, and later evaporates the moisture within a predetermined time period.

29. (Original) The fabric of claim 28 in which the fabric material is at least one selected from the group consisting of polyester, nylon, acrylic, polypropylene, spandex, polylactic acid, rayon and any combination thereof.

30. (Original) The fabric of claim 28 in which the repellency rating is between about 3 and 4.

31. (Original) The fabric of claim 28 in which the mesh pore size is between about 0.3 mm and 5.0 mm.

32. (Original) The fabric of claim 28 which further contains an antimicrobial agent.

33. (Original) The fabric of claim 28 in which the moisture absorbing agent is selected from the group consisting of hydrogels, superabsorbents and hydrocolloids and mixtures thereof.

34. (Original) The fabric of claim 28 in which the repellent property is imparted by the pre-treating of certain yarns or filaments of the fabric that are strategically placed within the fabric structure during its fabrication.

35. (Original) The fabric of claim 28 in which the absorbent property is imparted by the pre-treating of certain yarns or filaments of the fabric that are strategically placed within the fabric structure during its fabrication.

36. (Original) The fabric of claim 28 in which both repellent and absorbent properties are imparted by the pre-treating of certain yarns or filaments of the fabric that are strategically placed within the fabric structure during its fabrication.

37. (Currently Amended) A three dimensional fabric suitable for use as a moisture management system for footwear and apparel which comprises:

a fabric having a first surface and a second surface which encase an inner section, with said fabric containing a water repellent on at least one surface thereof, with said water repellent surface being in the form of a mesh which contains a plurality of pores, with said fabric further containing a moisture absorbing agent, whereby liquid moisture generated adjacent at least one of said surfaces is absorbed and captured by said moisture absorbing agent and later evaporated within a predetermined time period.

38. (Original) The fabric of claim 37 in which the fabric material is at least one selected from the group consisting of polyester, nylon, acrylic, polypropylene, spandex, polylactic acid, rayon and any combination thereof.

39. (Original) The fabric of claim 37 in which the repellency rating is between about 3 and 4.

40. (Original) The fabric of claim 37 in which the mesh pore size is between about 0.3 mm and 5.0 mm.

41. (Original) The fabric of claim 37 which further contains an antimicrobial agent.

42. (Original) The fabric of claim 37 in which the moisture absorbing agent is selected from the group consisting of hydrogels, superabsorbents and hydrocolloids and mixtures thereof.

43. (Currently Amended) ~~The fabric of claim 37 in which the repellent property is imparted by the pre-treating of certain yarns or filaments of the fabric that are strategically placed within the fabric structure during its fabrication~~ A three dimensional fabric suitable for use as a moisture management system for footwear and apparel which comprises:

a fabric having a first surface and a second surface which encase an inner section, with said fabric containing a water repellent on at least one surface thereof with said fabric further containing a moisture absorbing agent, and where said water repellent is imparted by the pre-treating of certain yarns or filaments of the fabric that are strategically placed within the fabric structure during its fabrication whereby liquid moisture generated adjacent at least one of said surfaces is absorbed and captured by said moisture absorbing agent and later evaporated within a predetermined time period.

44. (Original) The fabric of claim 37 in which the absorbent property is imparted by the pre-treating of certain yarns or filaments of the fabric that are strategically placed within the fabric structure during its fabrication.

45. (Currently Amended) ~~The fabric of claim 37 in which both repellent and absorbent properties are imparted by the pre-treating of certain yarns or filaments of the fabric that are strategically placed within the fabric structure during its fabrication~~ A three dimensional fabric suitable for use as a moisture management system for footwear and apparel which comprises:

a fabric having a first surface and a second surface which encase an inner section, with said fabric containing a water repellent on at least one surface thereof with said fabric further containing a moisture absorbing agent, and where both said repellent and moisture absorbent agent are imparted by the pre-treating of certain yarns or filaments of the fabric that are strategically placed within the fabric structure during its fabrication whereby liquid moisture generated adjacent at least one of said surfaces is absorbed and captured by said moisture absorbing agent and later evaporated within a predetermined time period.

46. (Withdrawn) A composite laminated fabric suitable for use as a moisture management system for footwear and apparel which comprises:

a first fabric having a first surface and a second surface which is laminated to a second fabric, with said first fabric having a water repellent mesh surface containing a plurality of pores, and said second fabric comprising a nonwoven material having no mesh holes or pores, and containing a moisture absorbing agent, whereby when said first surface and/or said second surface are contacted with liquid moisture they function to allow said liquid moisture to pass through said surface(s) into said nonwoven material where said moisture absorbing agent absorbs and captures said moisture, and later evaporates the moisture within a predetermined time period.

47. (Withdrawn) The fabric of claim 46 in which the fabric material is at least one selected from the group consisting of polyester, nylon, acrylic, polypropylene, spandex, polylactic acid, rayon and any combination thereof.

48. (Withdrawn) The fabric of claim 46 in which the repellency rating is between about 3 and 4.

49. (Withdrawn) The fabric of claim 46 in which the mesh pore size is between about 0.3 mm and 5.0 mm.

50. (Withdrawn) The fabric of claim 46 which further contains an antimicrobial agent.

51. (Withdrawn) The fabric of claim 46 in which the moisture absorbing agent is selected from the group consisting of hydrogels, superabsorbents and hydrocolloids and mixtures thereof.

52. (Withdrawn) The fabric of claim 46 in which the repellent property is imparted by the pre-treating of certain yarns or filaments of the fabric that are strategically placed within the fabric structure during its fabrication.

53. (Withdrawn) The fabric of claim 46 in which the absorbent property is imparted by the pre-treating of certain yarns or filaments of the fabric that are strategically placed within the fabric structure during its fabrication.

54. (Withdrawn) The fabric of claim 46 in which both repellent and absorbent properties are imparted by the pre-treating of certain yarns or filaments of the fabric that are strategically placed within the fabric structure during its fabrication.

55. (Withdrawn) A process for making a product which is utilized in a moisture management system which comprises:

(a) providing a three dimensional fabric having center section which is made up by a plurality of substantially vertically disposed fibers with said center section being sandwiched between an upper and lower fabric surface, with at least one of said fabric surfaces having a plurality of mesh pores;

(b) applying a water repellent agent to at least one of said surfaces and allowing said agent to cure, with said agent being in a concentration sufficient to allow a moisture absorbent agent to be repelled by said surface and penetrate through said pores and coat said vertical fibers in said center section;

(c) treating at least one of said water repellent surfaces with a moisture absorbing agent to allow said moisture absorbing agent to pass through said mesh pores and coat said vertical fibers in said center section, and

(d) followed by drying and/or curing said moisture absorbing coating.

56. (Withdrawn) The process of claim 55 in which the fabric material is at least one selected from the group consisting of polyester, nylon, acrylic, polypropylene, spandex, polylactic acid, rayon and any combination thereof.

57. (Withdrawn) The process of claim 55 in which the repellency rating is between about 3 and 4.

58. (Withdrawn) The process of claim 55 in which the mesh pore size is between about 0.3 mm and 5.0 mm.

59. (Withdrawn) The process of claim 55 which further contains an antimicrobial agent.

60. (Withdrawn) The process of claim 55 in which the moisture absorbing agent is selected from the group consisting of hydrogels, superabsorbents and hydrocolloids and mixtures thereof.